

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:08cv371**

**ARGONAUT GREAT CENTRAL
INSURANCE COMPANY,**

Plaintiff,

Vs.

**MCDOWELL COUNTY; DUDLEY
GREENE, in his official capacity as Sheriff
of McDowell County; JAMES BRANDON
WATSON, in his official capacity as a
Deputy with the McDowell County Sheriff's
Office; KIMBERLY D. FRYE and DAVID
L. FRYE as Co-Administrators of the Estate
of Kennedy Elizabeth Frye; KATHERINE
ELIZABETH FRYE; BRUCE A. ELMORE,
JR., as Guardian Ad Litem for Katherine
Elizabeth Frye, a minor; KIMBERLY D.
FRYE; DAVID L. FRYE; RUTH ANN
HUSKINS; and RONNIE HUSKINS,**

Defendants.

ORDER

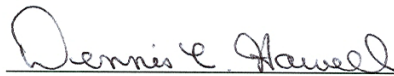
THIS MATTER is before the court on the Frye defendants' Motion to Continue the Status Conference. The Frye defendants have shown that the trial of the primary action will be taking place at the same time as the status hearing in this declaratory judgment matter is scheduled. In deference to the trial occurring before

Honorable James L. Baker, North Carolina Superior Court Judge, this court will stay its hand and reschedule the status conference for Friday, March 13, 2009, at 10 a.m. in Asheville. Judge Baker has for many years been a beloved friend and colleague of the undersigned.

ORDER

IT IS, THEREFORE, ORDERED that the Frye defendants' Motion to Continue the Status Conference (#30) is **GRANTED**, and the **STATUS CONFERENCE** set for March 6, 2009, is **CONTINUED** to March 13, 2009, at 10 a.m. in Asheville.

Signed: February 23, 2009

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Dennis L. Howell
United States Magistrate Judge

